

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT
100 EAST FIFTH STREET, ROOM 532
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

LEONARD GREEN
CLERK

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Filed: November 13, 2003

Warren V. Tinch
Lebanon Correctional Facility
#248-719
P.O. Box 56
Lebanon, OH 45036

Re: No. 03-4480
Tinch vs. Russell
District Court Case No. 01-00162

FILED
KENNETH J. MURPHY
CLERK
03 NOV 14 AM 8:38
DISTRICT COURT
SOUTHERN DISTRICT OHIO
WEST DIV CINCINNATI

An appeal has been docketed today as case number **03-4480**. However, it appears that a motion of the type specified in Fed. R. App. P. 4(a)(4) remains pending in the lower court (RE 24). Until the motion receives a ruling by the district judge, the notice of appeal is ineffective to appeal from the judgment or order, according to the Federal Rules of Appellate Procedure as amended on December 1, 1998.

This case will be held in abeyance until the order disposing of the motion is filed and jurisdiction has transferred to the court of appeals. Until that time, no motions will be accepted for filing in this court. Once the court of appeals has jurisdiction, the appeal will then proceed in the normal course and you will receive additional instructions from the clerk's office.

The clerk of the district court is instructed to provide this court with a current copy of the docket sheet every 30 days as a status report, beginning as of this date.

Teresa Bertke
Case Manager

cc:

Mr. Kenneth J. Murphy
Honorable Sandra S. Beckwith
Thelma Thomas Price